

Here, the parties have not filed a waiver of service, nor have they indicated when the request for waiver of service was sent. As provided in Rules 4 and 12, Defendant Pressley must file an answer or responsive pleading within 60 days of that date.

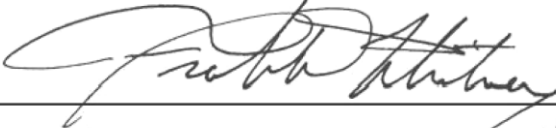
Additionally, the Stipulation was not filed or captioned as a motion, and it was not accompanied by a motion to extend any pending deadlines. Where the parties agree to requested relief and a court order is required, a consent motion—not a stipulation—is the appropriate vehicle to get there. The Stipulation’s inclusion of a blank order for the Court to sign, (Doc. No. 11, p. 2), recognizes the necessity of a court order granting an extension here. See Fed. R. Civ. P. 7(b)(1) (“A request for a court order must be made by a motion.”). Thus, to the extent the Stipulation could be construed as a motion, it is denied.

IT IS THEREFORE ORDERED that to the extent the Joint Stipulation and Order for Defendant Brenda Pressley’s Response to Plaintiff’s Verified Complaint, (Doc. No. 11), can be construed as a motion, it is **DENIED**.

Plaintiff is **DIRECTED** to file a Request for Waiver of Service on the docket. Defendant is **DIRECTED** to file a Waiver of Service on the docket. The parties may move the Court for an extension of time to file a responsive pleading if needed.

IT IS SO ORDERED.

Signed: January 6, 2025



Frank D. Whitney
Senior United States District Judge

